IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	**MAIL STOP AF**
)	
Srikanth Natarajan et al.)	Group Art Unit: 2144
)	
Application No.: 09/838,239)	Examiner: Peling Andy Shaw
)	
Filed: April 20, 2001)	Confirmation No.: 9191
)	
For: METHOD AND SYSTEM FOR)	
CONSOLIDATING NETWORK)	
TOPOLOGY IN DUPLICATE IP)	
NETWORKS)	
)	

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated January 16, 2007, a Notice of Appeal is filed herewith, and a Pre-Appeal Conference is requested to review the above-identified application. No amendments are being filed with this request. For at least the following reasons, the rejections raised in the Final Office Action are clearly improper and without basis.

OVERVIEW

Independent claims 1 and 8 are allowable over the various combinations of WO 00/49769 (Lecheler et al.), US Patent 5,948,055 (Pulsipher et al.) and US Patent 5,577,252 (Nelson et al.). These documents, when considered individually or in combination suggested by the Examiner, would not have taught or suggested Applicants' claimed features of: 1) receiving, in at least one management computer, information from the at least one collection computer that includes the management domain identifier and a trust flag to indicate a binary setting; and 2) deciding whether the at least one management computer should resolve a hostname being reported

Buchanan Ingersoll & Rooney PC
Attorneys & Government Relations Professionals

by the at least one collection computer based on the binary setting of the trust flag.

Independent claims 1 and 8 are therefore allowable.

ARGUMENT

1.   The Examiner Has Failed To Establish A Prima Facie Case of Obviousness In Combining The Lecheler et al. Publication And The Nelson et al. Patent To Reject Independent Claims 1 and 8.

In numbered paragraph 5, on pages 2-4 of the final Office Action, independent claims 1 and 8, along with various dependent claims, are rejected as being unpatentable over WO 00/49769 (Lecheler et al.) in view of US Patent 5,577,252 (Nelson et al.). This rejection is respectfully traversed.

Applicants have disclosed at least one collection computer relating to a management domain identifier. As exemplified in Fig. 1, one or more collection stations can be designated as a management domain (e.g., paragraph [0020]). As further disclosed, a management domain identifier and a trust name flag can be added to the topology node object. For example, the trust name can be a single bit flag in the collection station object (e.g., paragraph [0030]).

As Applicants have disclosed, the claimed trust flag can be used to decide if the management station is supposed to perform name resolution on behalf of the collection station. Accordingly, the claimed trust flag within a duplicate IP networks environment can help to resolve the problem of two or more collection stations sending network events with the same names. Such claimed features are in direct contrast to a known security feature relating specifically to a server link.

The foregoing features are broadly encompassed by claim 1, which recites, among other features, receiving, in at least one management computer, information

from the at least one collection computer that includes the management domain

identifier and a trust flag to indicate a binary setting; and deciding whether the at

least one management computer should resolve a hostname being reported by the

at least one collection computer based on the binary setting of the trust flag. Claim 8

claims a system for managing a computer network reciting similar features.

The Examiner admits at page 3 of the final Office Action, that "Lecheler does

not explicitly show (claim 1) a trust flag to indicate a binary setting and deciding

whether the at least one management computer should resolve a hostname being

reported by the at least one collection computer based on the binary setting of the

trust flag." At least for these reasons, the Lecheler et al. publication would not have

taught or suggested the features recited in claims 1 and 8.

The Nelson et al. patent does not cure the deficiencies of the Lecheler

publication. The Nelson et al. patent discloses an assurance of security provided by

a first name server to a second named server (col. 1, lines 54-66). However, the

disclosed assurance is respect to the system security between name servers (col. 6,

lines 62-66), but does not relate to resolving a hostname should a trust status

indicate the need for a resolution. Rather, the Nelson et al. patent discloses that a

way of allowing a name server to continue across a name server boundary is to have

"the original context and the context in the second name server have the same

encapsulated principal' (col. 7, lines 12-15); and that if the two contexts do not

encapsulate the same principal, then "name server A cannot continue with the name

resolution" (col. 11, lines 62-64). Further, Nelson et al. patent is silent as to a trust

flag to indicate a binary setting. The Nelson et al. patent would not have taught or

suggested 1) receiving, in at least one management computer, information from the

at least one collection computer that includes the management domain identifier and a trust flag to indicate a binary setting; and 2) deciding whether the at least one management computer should resolve a hostname being reported by the at least one collection computer based on the binary setting of the trust flag, as recited in claim 1, and as similarly recited in claim 8.

For the foregoing reasons, Applicant's claims 1 and 8 are allowable over the combination of Lecheler et al. publication and the Nelson et al. patent. The remaining claims depend from independent claim 1 and recite additional advantageous features which further distinguish over the documents relied upon by the Examiner.

2.   The Examiner Has Failed To Establish A Prima Facie Case of Obviousness In Combining The Pulsipher et al. Patent And The Nelson et al. Patent To Reject Independent Claims 1 and 8.

In numbered paragraph 6, on pages 5-8 of the final Office Action, independent claims 1 and 8, along with various dependent claims, are rejected as being unpatentable over US Patent 5,948,055 (Pulsipher et al.) in view of US Patent 5,577,252 (Nelson et al.). This rejection is respectfully traversed.

The Examiner admits at page 5 of the final Office Action, that "Pulsipher does not explicitly show (claim 1) a trust flag to indicate a binary setting and deciding whether the at least one management computer should resolve a hostname being reported by the at least one collection computer based on the binary setting of the trust flag." At least for these reasons, the Pulsipher et al. patent would not have taught or suggested the features recited in claims 1 and 8.

The Nelson et al. patent does not cure the deficiencies of the Pulsipher et al. patent. For the like reasons as set forth above, the Nelson et al. patent would not have taught or suggested the features recited in claims 1 and 8.

For the foregoing reasons, Applicant's claims 1 and 8 are allowable over the combination of the Pulsipher et al. patent with the Nelson et al. patent. The remaining claims depend from independent claim 1 and recite additional advantageous features which further distinguish over the documents relied upon by the Examiner. As such, the present application is in condition for allowance.

CONCLUSION

The Examiner has failed to establish a prima facie case of obviousness in variously rejecting Applicants' claims 1-8. A reversal of the final rejection, and allowance of the present application, are therefore requested.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: April 13, 2007   By: _____
                                    Patrick C. Keane
                                    Registration No. 32858

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620